



TFW

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/756,917	
	Filing Date	January 14, 2004	
	First Named Inventor	Rob G. Parrish	
	Art Unit	3753	
	Examiner Name	Craig M. Schneider	
Total Number of Pages in This Submission	4	Attorney Docket Number	130185.0003.000

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard		
<table border="1"><tr><td>Remarks</td><td></td></tr></table>			Remarks	
Remarks				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Charles Kulkarni, Reg. No. 57,119 JACKSON WALKER L.L.P., 112 E. Pecan Street, Suite 2400, San Antonio, Texas 78205
Signature	
Date	July 13, 2007

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Renee Treider		
Signature		Date	July 13, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



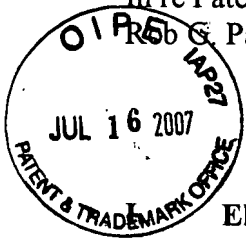
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Rob G. Parrish SERIAL NO. 10/756,917 FILED: January 14, 2004 TITLE: AVIATORIAL VALVE ASSEMBLY	ATTY DKT NO. 130185.0003 GROUP ART UNIT: 3753 EXAMINER: Craig M. Schneider
TO: Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	

**RESPONSE TO
NON-FINAL OFFICE ACTION MAILED JULY 2, 2007**

Dear Honorable Commissioner:

In response to the Office Action dated July 2, 2007, Applicant enclose the following response.



SPECIES ELECTION

Election Requirement

A. Applicant's Elections

Applicant hereby elects, with traverse, Species A, Species AA, and Species BB and thereby elects the embodiments depicted in the following Figures:

1. 1-5, 13, 19b, 21-24, and 28a-29b (Species A)
2. 6, 10-12 (Species AA)
3. 26b (Species BB)

Applicant identifies the following claims as consonant with the above elections: 2-4, 6-10, 37-38, 41, 43-46, 49, 51-56, and 62-73.

II. Remarks as to Election Requirement and Traverse

Applicant incorporates by reference all remarks from the Response to Non-Final Office Action Mailed May 15, 2007, including Applicant's arguments as to the traverse of the above-election requirement.

Additionally, Applicant notes that the Office Action Mailed April 12, 2007 identifies the election requirement in paragraph 3 of the Office Action between AA, AB, AC, AD, and AE as a *subspecies* election requirement, thereby implying that AA, AB, AC, AD, and AE are *subspecies* of Species A. In a telephonic discussion with the Examiner on July 10, 2007, the Examiner indicated that the election requirement between AA, AB, AC, AD, and AE is not intended as a *subspecies* of Species A, but another species election separate and apart from the species election requirement of paragraph 2 of the Office Action. Additionally, the Examiner also indicated that election requirement in paragraph 4 of the Office Action between BA, BB, and BC are not *subspecies* of Species B, contrary to their identification as such in the Office Action.

Applicant notes that the embodiments of AA, AB, AC, AD, and AE are not *subspecies* of Species A, and further, that the scope of the embodiments of AA, AB, AC, AD, and AE does not overlap in any way with the scope of the embodiments in Species A. Therefore, for these reasons, and for the reasons set forth in the Response to Non-Final Office Action Mailed May 15, 2007, Applicant respectfully requests withdrawal of the *subspecies* election requirements between *subspecies* AA, AB, AC, AD, and AE and between *subspecies* BA, BB, and BC.